

REMARKS / ARGUMENTS

Claims 28, 41-43, 77 and 86-94 are pending in the present application. Of these claims, 41-43 and 86-94 were withdrawn. Claims 28 and 77 are independent.

Claims 28 and 77 were rejected as being obvious over Anderson in view of Barreiro.

Discussion

Amended independent claims 28 and 77 are allowable over Anderson in view of Barreiro since Anderson and Barreiro do not disclose or suggest a fastener having a first member, a second member, and a connecting member fixed to each of the first and second members intermediate the first and second ends and extending between the first and second members, wherein "at least one of the first and second members includes a plurality of longitudinally spaced vertical slots rendering the at least one of the first and second members flexible in a direction opposite the slots but stiff in a direction of the slots, the slots being closed to render the at least one of the first and second members stiff in the direction of the slots." Neither Anderson nor Barreiro disclose or suggest slots, which are closed to render the member 144 stiff in the claimed manner.

Referring to Fig. 4 of the present application, a fastener 140 is shown which has first and second members 142, 144 and a connecting member 146 extending therebetween. One of the members 142, 144 includes a plurality of slots 150. The slots are closed as shown in Fig. 4 so that the member 144 is preferentially stiff and flexible in the manner described in association with Fig.4.

Anderson clearly fails to disclose or suggest the claimed slots. Barreiro fails to disclose slots which are "closed to render the" member stiff in the direction of the slots as claimed. Barreiro discloses radial projections 100 which are intended to inhibit

withdrawal of the device. The radial projections 100 are not, however, closed and clearly maintain an opening, which forms the radial projection.

Applicant submits that it would not have been obvious to modify Barreiro with radial projections which were closed, rather than open, since such a projection would decrease the ability of the projections 100 to inhibit withdrawal of the device as intended by Barreiro. As such, Applicant submits that such a modification would not have been obvious.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-412-3322.

Respectfully submitted,

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Date


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